

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :  
 :  
 :  
 : Criminal No. \_\_\_\_\_  
 :  
 : Date Filed: \_\_\_\_\_  
 v. :  
 : VIOLATION: 18 U.S.C. Section  
 : 1344 (Bank fraud -  
 : 3 counts)  
 BEVERLY CLARKE :  
 : 18 U.S.C. Section  
 : 2 (Aiding and  
 : abetting)  
  
 Notice of  
 Forfeiture

I N D I C T M E N T

THE GRAND JURY CHARGES THAT:

At all times material to this Indictment:

1. First Union Bank (now Wachovia Bank) was a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation (FDIC).

2. PNC Bank was a financial institution whose deposits were insured by the FDIC.

3. Between on or about September 10, 2003 and on or about September 17, 2003 in the Eastern District of

Pennsylvania and elsewhere, defendant

BEVERLY CLARKE

knowingly executed and attempted to execute a scheme to defraud First Union Bank and PNC Bank and to obtain monies owned by and under the care, custody, and control of First Union Bank and PNC Bank by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

4. On or about September 10, 2003, defendant BEVERLY CLARKE deposited a \$ 19,600 counterfeit First Union Bank check, drawn on the account of "M.S.", into her bank account at PNC Bank.

5. Defendant BEVERLY CLARKE received the check from another person who is unknown to the grand jury. She agreed to deposit the counterfeit check and withdraw funds against that check.

6. On or about September 17, 2003, defendant BEVERLY CLARKE attempted, but was unable to, withdraw a portion of the \$19,600 that she had deposited into her account using the counterfeit First Union check because First Union had refused to honor the check.

In violation of Title 18, United States Code,  
Sections 1344 and 2.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 of Count One is incorporated here.
2. Citizens Bank was a financial institution whose deposits were insured by the FDIC.
3. Between on about September 22, 2003 and on or about September 29, 2003, in the Eastern District of Pennsylvania and elsewhere, defendant

BEVERLY CLARKE

knowingly executed and attempted to execute a scheme to defraud First Union Bank and Citizens Bank and to obtain monies owned by and under the care, custody and control of First Union Bank and Citizens Bank by means of false and fraudulent pretenses, representations and promises.

THE SCHEME

4. On or about September 22, 2003, defendant BEVERLY CLARKE deposited a counterfeit \$ 12,600 First Union check drawn on the account of "G.S." into her account at Citizens Bank.

5. Defendant BEVERLY CLARKE received the check from another person is unknown to the grand jury. She agreed to deposit the counterfeit check and withdraw funds against that check. Defendant BEVERLY CLARKE would keep some of the money and give the bulk to the person who provided her with the check.

6. On or about September 29, 2003, defendant BEVERLY CLARKE withdrew approximately \$ 8,000 in cash from her account at Citizens Bank after the counterfeit check had been honored by First Union Bank.

In violation of Title 18, United States Code, Section 1344 and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 2 of Count Two are incorporated here.

2. Between on or about October 10, 2003 and on or about October 17, 2003 in the Eastern District of Pennsylvania and elsewhere, defendant

BEVERLY CLARKE

knowingly executed and attempted to execute a scheme to defraud First Union Bank and Citizens Bank and to obtain monies owned by and under the care, custody and control of First Union Bank and Citizens Bank by means of false and fraudulent pretenses, representations and promises.

THE SCHEME

3. Defendant BEVERLY CLARKE deposited a counterfeit \$16,500 First Union check drawn on the account of "H.K." into her account at Citizens Bank.

4. Defendant BEVERLY CLARKE received the check from another person who is unknown to the grand jury. She agreed to deposit the counterfeit check and withdraw fund against that check. Defendant BEVERLY CLARKE would keep

some of the money and give the bulk to the person who provided her with the check.

5. On or about October 17, 2003, defendant BEVERLY CLARKE withdrew approximately \$ 5,000 in cash from her account at Citizens Bank after the counterfeit check had been honored by First Union Bank.

In violation of Title 18, United States Code, Sections 1344 and 2.

NOTICE OF FORFEITURE

1. As a result of the violations of Title 18, United States Code, Section 1344, set forth in Counts One and Two of this Indictment, the defendant

BEVERLY CLARKE

shall forfeit to the United States of America any property constituting, or derived from, proceeds obtained directly or indirectly as the result of the violations of Title 18, United States Code, Section 1344, as charged in this Indictment, including, but not limited to, the sum of \$ 29,100 which was deposited into account # 6202991597 at Citizens Bank.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;



(d) has been substantially diminished in value; or

(e) has been commingled with other property which

cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

A TRUE BILL:

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FOREPERSON

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PATRICK L. MEEHAN  
United States Attorney